

AGENDA

OF THE

COUNCIL OF THE CITY OF FORT COLLINS, COLORADO

July 20, 1999

Proclamations and Presentations

5:30 p.m

- A. Proclamation Proclaiming August 3, 1999, as "National Night Out".

*****Presentation of 8 Year Plaques to Board and Commission Members.*****

Regular Meeting

6:00 p.m.

PLEDGE OF ALLEGIANCE.

1. CALL MEETING TO ORDER.
2. ROLL CALL.
3. CITIZEN PARTICIPATION (limited to 30 minutes)
4. CITIZEN PARTICIPATION FOLLOW-UP:

This is an opportunity for the Mayor or Councilmembers to follow-up on issues raised during Citizen Participation.

5. AGENDA REVIEW: CITY MANAGER



6. CONSENT CALENDAR

The Consent Calendar consists of Item Numbers 7 through 24. This Calendar is intended to allow the City Council to spend its time and energy on the important items on a lengthy agenda. Staff recommends approval of the Consent Calendar. Anyone may request an item on this calendar to be "pulled" off the Consent Calendar and considered separately. Agenda items pulled from the Consent Calendar will be considered separately under Agenda Item #29, Pulled Consent Items. The Consent Calendar consists of:

- 1) Ordinances on First Reading that are routine;
- 2) Ordinances on Second Reading that are routine;
- 3) Those of no perceived controversy;
- 4) Routine Administrative actions.

CONSENT CALENDAR

7. Second Reading of Ordinance No. 108, 1999, Appropriating Unanticipated Revenue and Prior Year Reserves in the Transportation Services Fund and Authorizing the Transfer of Appropriations to be Used for the Design and Construction of Phase Three of the Harmony Road Bikeway Project.

Resolution 99-79 was unanimously adopted on July 6, 1999 authorizing the Mayor to enter into a contract between the City and CDOT to prepare final design documents and construction of the third phase of the Harmony Road bike lane project.

Ordinance No. 108, 1999, which was also unanimously adopted on First Reading on July 6, 1999, appropriates the funds for the construction of the Harmony Road Bikeway Project.

8. Postponement of Items Relating to the Johnson-Harmony Annexation and Zoning.
- A. Postponement of Second Reading of Ordinance No. 109, 1999, Annexing Property Known as the Johnson- Harmony Annexation to the City of Fort Collins.
 - B. Postponement of Second Reading of Ordinance No. 110, 1999, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Johnson-Harmony Annexation.

The applicant, Les Kaplan has requested postponement of the Second Reading of this annexation and zoning to September 21 (see attached letter); however, staff is recommending postponement to September 7 (see attached memo), which coincides with the second reading of the Willow Brook annexations and zonings. The Willow Brook Annexations are



dependent on the Johnson-Harmony Annexation to establish contiguity. Adoption of the Consent Agenda will postpone Second Reading of Ordinance Nos. 109 and 110, 1999 to the meeting of September 7, 1999.

9. Second Reading of Ordinance No. 111, 1999, Authorizing the Conveyance of a Non-Exclusive Easement for an Electrical Substation to the City of Loveland on Fort Collins-Loveland Municipal Airport Property.

The Cities of Fort Collins and Loveland each own a fifty-percent share of the Fort Collins-Loveland Municipal Airport. The City of Loveland has asked for approval from the City of Fort Collins to acquire an easement of approximately three acres in order to construct an electrical power substation. The substation will provide improved service to residents in the vicinity of the Airport, and the Airport itself over time. Ordinance No. 111, 1999, was unanimously adopted on First Reading on July 6, 1999.

10. Second Reading of Ordinance No. 112, 1999, Authorizing the Mayor to Execute a Quit Claim Deed Conveying to the Shenandoah Land Limited Liability Company Certain Tracts of Land in the Shenandoah P.U.D. First Filing.

Ordinance No. 112, 1999, which was unanimously adopted on First Reading on July 6, 1999, authorizes the conveyance to the original owners of Tracts A, B, C, D, E and F in the Shenandoah P.U.D. First Filing that were erroneously deeded to the City at the time of development in the Shenandoah First Filing development.

11. Second Reading of Ordinance No. 113, 1999, Authorizing the Conveyance of a Non-Exclusive Easement for the Construction of Flood Control Structures in and along the Poudre River in the Archery Range Natural Area to Boxelder Sanitation District.

Ordinance No. 113, 1999, which was unanimously adopted on First Reading on July 6, 1999, authorizes the conveyance of a non-exclusive easement to the Boxelder Sanitation District, for construction of flood control structures in and along the Poudre River and provides for on-going maintenance of the related improvements.

During discussion on First Reading, concerns were raised regarding the "softness" of the improvements. Staff has reviewed materials regarding this project and have determined that all of the rip rap installed with the project will be covered with top soil and seeded with native vegetation. Also, any trees disturbed with the project will be replaced on a 3 to 1 ratio. The revised ordinance reflects those conditions for the project (see staff memo included in this packet).

Also, since first reading the value of the easement has been determined to be \$800 and this also has been included in the revised ordinance.

12. Second Reading of Ordinance No. 114, 1999, Appropriating Unanticipated Revenue in the General Fund for the Use of Camera Radar and Red-Light Cameras to Enforce Traffic Violations.

Ordinance No. 114, 1999, which was unanimously adopted on First Reading on July 6, 1999, appropriates revenue received through the camera radar and red light enforcement systems to be used to fulfill the City's obligations under its agreement with ATS and the balance of the revenue received would be utilized to defray costs incurred by the City in connection with its use of the camera radar and red-light camera systems or other programs intended to address the City's current traffic problems.

13. First Reading of Ordinance No. 115, 1999, Appropriating Unanticipated Revenue and Prior Year Reserves in the Transit Services Fund to be Used for Providing Transit Services.

Federal funds for transit are not usually finalized until after the City's budget is adopted. This Ordinance reflects the additional federal funds made available in 1999 for the City and the required local matching funds. These additional funds are all FTA grants, but for different programs.

14. First Reading of Ordinance No. 116, 1999, Authorizing the Transfer of Appropriations from the General Fund to the Debt Service - Certificates of Participation Fund for the Purpose of Making the Payments on the 1998 Lease Purchase Certificates of Participation (Civic Center Facilities Project).

In 1998, the City executed and delivered \$17,210,000 of lease purchase certificates of participation to provide funding for the parking structure and office building (the Civic Center Facilities Project). To cover the annual payments on the certifications, the 1999 appropriation ordinance provided for appropriations and payments to be made directly from the General Fund. During the audit of the 1998 fiscal year transactions, Finance Department staff discussed the accounting treatment of these appropriations with the external auditor, *BONDI & Co.* Based on these discussions, staff decided it would be more appropriate and provide a better audit trail to route the payments through a new fund set up specifically for this purpose. The fund is the Debt Service - Certificates of Participation Fund (Fund 252). The Ordinance provides for the internal transfer of the General Fund and Downtown Development Authority Debt Service Fund appropriations to the new Debt Service - Certificates of Participation Fund.

15. First Reading of Ordinance No. 117, 1999, Appropriating Unanticipated Revenue In the Capital Projects Fund to Be Used For The Downtown Intersection Renovation Project.

The City created the downtown General Improvement District No. 1 in 1976 to fund improvements in the downtown area. The District's major source of revenue is from the annual mill levy, 4.924 mills in 1999, which generates approximately \$200,000 per year in

property tax revenue. The City Council approved a capital improvement priority list which included reconstruction and renovation of the intersections along College Avenue. The Parks Department has developed a plan of improvements to continue the improvement process in 1999. The City intended to pay for the improvements through a lease purchase financing that should be completed in September. The total project cost is estimated to be \$1.1 million. The project will be managed as a separate project within the capital project fund. This will allow for direct accounting of the project. This Ordinance appropriates \$162,355 of existing appropriations within the GID No. 1 Fund in the Capital Projects Fund. The money will be used to begin the design work and preliminary engineering for the project. The GID Board of Directors will be authorizing the transfer of these appropriations at its meeting tonight.

16. First Reading of Ordinance No. 118, 1999, Authorizing the Issuance of Not to Exceed \$8,980,000 of Private Activity Bonds for the Dry Creek Apartments Project and Authorizing the Execution of Certain Related Documents and Instruments.

Representatives from Concorde Capital Corporation contacted the City of Fort Collins in December of 1998 requesting that the City consider issuing private activity bonds for the purpose of supporting an affordable housing project. Under the federal and state laws, the project would qualify as a low-income rental housing project. The project is to be located in the north part of Fort Collins near the southeast corner of the intersection of Redwood and Conifer. The project will consist of up to 150 dwelling units. The site is approximately 13.6 acres. Twenty-seven of the units will be for individuals or households making no greater than 60% of area median income. Forty percent of the units will be for households under the 50% median income level. The remainder of the project (33%) will be rented at market rates. The City Council considered the request and approved a resolution inducing the project on January 19, 1999. This action used all of the City's 1999 private activity bond allocation of \$2,684,075. Concorde Capital and City staff prepared an allocation to the state for additional bonding capacity and made a presentation to the state allocation board. The board awarded \$6.3 million of additional allocation to the project.

17. First Reading of Ordinance No. 119, 1999, Authorizing the Conveyance of a Parcel by a Quit Claim Deed to Dayton Family LLP in Exchange for a Parcel to be Acquired from Them by the City.

In September 1999, the City plans to construct a right-turn lane to alleviate congestion at the southwesterly corner of the Horsetooth/Mason Street Intersection. Two properties are affected by the project. The corner lot has already been purchased by the City. An agreement has been reached with Dayton Family LLP, owner of the adjacent property, "Horsetooth Lanes". As part of the Dayton agreement, the City needs to convey to the Dayton Family LLP sufficient property to allow for the replacement of 21 parking spaces to be eliminated as a result of the conveyance to the City. These spaces will be constructed on a portion of the corner lot and transferred to the Daytons by Quit Claim Deed.

18. Resolution 99-88 Adopting City Council's 1999-2001 Policy Agenda.

Every two years, the City Council adopts a Policy Agenda that outlines the policy initiatives it wishes to undertake in the two-year Council term. The proposed Policy Agenda themes have been developed through discussion with Council since the April election, both at study sessions and at the May retreat.

The 1999-2001 Policy Agenda includes eight major theme areas that Council would like to focus its policy work on during the coming two years. Exhibit A is the narrative describing these areas. The narrative themes are supported by a number of policy issues and questions that Council will consider as it works to achieve these goals. The theme areas are stated as broad goals for staff to use in its work over the next two years.

19. Resolution 99-89 Adopting the Recommendation of the Cultural Resources Board Regarding Fort Fund Disbursements.

On November 30, 1998 revised guidelines for the Cultural Development and Programming and Tourism accounts (Fort Fund) were adopted and approved through the City Manager's office. These newly-adopted guidelines created a three-tiered funding system for organizations that apply for grants from Fort Fund. Tier #1 was established as an annual programming fund for organizations whose primary purpose is to present three or more public events annually. These groups may apply for funding from Tier #1 each April. Tier #2 allows organizations that are not eligible for Tier #1 support to apply for funding of events that are not fund-raising in nature and do not generate more than \$2,500 in proceeds after expenses. Tier #3 allows organizations that are not eligible for Tier #1 support to apply for funding of events that generate more than \$2,500 in proceeds after expenses and are fund-raising in nature. Applications for support from Tier #2 and Tier #3 are accepted each January and June.

20. Resolution 99-90 Approving the Purchase of Carbon Dioxide Storage Equipment for the Water Treatment Facility Expansion as an Exception to the City's Competitive Purchasing Requirements.

As a part of the design process, research was made to determine what type of storage equipment was needed to provide the project with a good reliable, compatible, and cost competitive storage system. The staff looked at several feed systems, before making the storage equipment selection. The performance, reliability, compatibility, and cost competitiveness with the existing plant equipment led staff to choose the TOMCO equipment. Additional carbon dioxide storage equipment and materials are needed to increase capacity. The Water Treatment Facility (WTF) is presently using TOMCO CO2 storage system, a patented process system that has served the City well in the past. The proposed additional TOMCO equipment will match the existing feed system.

During the design and cost estimating/negotiating phase, staff realized that there was a large savings for the City if the City purchases the TOMCO Equipment Storage system directly, rather than through a contractor. The City will save any mark-ups that would have been paid to the contractor. Staff believes it is in the best interest of the City to proceed with the purchase of this equipment.

21. Resolution 99-91 Approving the Request for Non-Government, Regular Colorado License Plates on City Vehicles Assigned to the Chief of Police and the City Manager.

The State and the County now require that the governing body of a municipality approve of the issuance of regular, non-governmental license plates for City vehicles. This Resolution is intended to satisfy this requirement so that the City vehicles assigned to the Chief of Police and the City Manager can obtain such license plates. There is no additional charge for these plates.

22. Resolution 99-92 Authorizing the City Manager to Enter Into an Intergovernmental Agreement with Larimer County, the City of Loveland, and the Town of Berthoud for the Development and Operation of a Youth Assessment Center and for Youth Transport Services.

In an effort to improve services to at-risk youth and their families in Larimer County, agencies and individuals have been working to establish a Youth Assessment Center. In late November 1998, Larimer County opened up such a center, known as The Hub, on Troutman Parkway (the previous site of the City's mini library).

Staff from Mental Health, Community Corrections' *Youth Offender Response (YOR)* team, and the Department of Human Services' *Adolescent Response Team (ART)*, provide intake and detention screening, assessment and referral services, alternatives to detention, crisis intervention, and family mediation. While The Hub is open to the community weekdays from 8:00 a.m. to 9:00 p.m., Intake Specialists staff the center around the clock.

The Hub has successfully implemented the initial phase of a multi-disciplinary, collaborative single-entry process to serve all of Larimer County. Since The Hub opened, over 850 youth and their families have been served.

Response from law enforcement and the community has been positive. With such a facility, law enforcement has only one number to call when they come in contact with a youth. Both law enforcement and the community benefit when officers can drop off a youth at the center and return more quickly to the street. Youths and families benefit by having an immediate, coordinated response to crisis, comprehensive assessments and referral to services. Agencies benefit through enhanced communication, multi-disciplinary staffing, a shared facility, and cooperative service.

23. Resolution 99-93 Making Appointments to the Urban Growth Area Review Board.

The Intergovernmental Agreement between the Larimer County Commissioners and the Fort Collins City Council established a Fort Collins Urban Growth Area Review Board to act as the single recommending body to the Commissioners concerning development applications for properties located within the unincorporated portions of the UGA that are ineligible for voluntary annexation into the city. The Board consists of two members appointed by the City Council, two members appointed by the County Commissioners, and three members appointed by mutual agreement of the Council the Commissioners, who shall be residents of the Urban Growth Area (the area between the city limits and the Urban Growth Area boundary).

There are currently three vacancies on the UGA Review Board requiring Council action. The three seats jointly appointed by the Council and the Commissioners are vacant due to the expiration of terms of Bob Long, Tim Wakefield and the resignation of Natalie Warren.

Larimer County did not receive a sufficient number of applications to fill all three vacancies. Recruitment efforts are underway for more applications. In order for the Urban Growth Area Review Board to have a quorum at its meetings, two appointments will be made immediately. Names of those individuals recommended for appointment have been inserted in the Resolution.

24. Routine Deeds and Easements.

- A. Easement Dedication from Robert W. Dehn to relocate fire hydrant, located on Lots 2 and 3 of Prospect Park P.U.D. Monetary consideration: \$10.
- B. Easement Dedication from Brian T. Soukup, for an access, utility and drainage easement, located south of Prospect and southeast of Westbridge Drive. Monetary consideration: \$0.
- C. Quit Claim Deed from Double SM Farms, for a natural area, located near the Riverbend Ponds Natural Area. Monetary consideration: \$0.
- D. Deed of Dedication for Right-of-Way from Robert A. Russell, Tuileries Condominiums, LLLP, RFG Management, Inc., for a permanent right-of-way for public street purposes, located east of South Shields Street and South Wabash. Monetary consideration: \$10.

*****END CONSENT*****



25. Consent Calendar Follow-up.
This is an opportunity for Councilmembers to comment on items adopted or approved on the Consent Calendar.
26. Staff Reports.
27. Councilmember Reports.
Committees that have met since July 6 include:
Growth Management Committee
Health and Safety Committee
Legislative Review Committee

ITEMS NEEDING INDIVIDUAL CONSIDERATION

28. First Reading of Ordinance No. 120, 1999, Amending Section 2-32 of the City Code With Regard to the Posting of Public Notice of the Meetings of Council Committees.

The City Code provisions pertaining to open meetings presently require that all Council committee meetings at which a majority or quorum is in attendance must not only be open to the public but shall be held only after full and timely notice to the public. In the case of three-member Council committees, this could be construed to mean that no two Council members who are on the same committee can discuss any public business without the posting of notice. The proposed amendment would require that any such discussions remain open to the public but would not require the posting of the prior public notice before they could occur. This public notice would be required only prior to Council committee meetings at which formal action could be taken.

29. Pulled Consent Items.
30. Other Business.
31. Adjournment.

****Note:** This meeting needs to be adjourned to 6:00 p.m. on Tuesday, July 27, 1999.

